

State of California
Regional Water Quality Control Board
North Coast Region

MINUTES OF MEETING
January 27, 2000
North Coast Regional Water Board
Hearing Room
5550 Skylane Boulevard, Suite A
Santa Rosa, California

Vice Chairman Bill Hoy opened the January 27, 2000 meeting of the North Coast Regional Water Quality Control Board at 8:40 a.m. State Board Representative John Brown led the Pledge of Allegiance.

Introductions

Vice Chair Hoy introduced the Board members present, State Water Board representative, John Brown, Executive Officer Lee Michlin, and Legal Counsel Phil Wyels. He congratulated and welcomed new Board members Leslie Dahlhoff and Daniel Crowley. He stated Board member Jim Mitchell was ill and would be connected to the meeting through a teleconferencing network. He stated agenda items would be taken out of order to facilitate Jim's participation in those items that required a quorum. Phil explained that a roll call vote would be taken on each item requiring a quorum of the Board.

Board Members Present

Bill Hoy, Daniel Crowley, Leslie Dahlhoff, Bev Wasson, and Jim Mitchell (teleconferencing)

Staff Present

Lee Michlin, Craig Johnson, Bob Tancreto, Frank Reichmuth, Susan Warner, Chris Igbinedion, Bob Klamt, John Hannum, John Short, Christine Wright-Shacklett, Janet Blake, Kevin Brown, Dave Evans, Rebecca Van Asdian, Bernadette Reed, Damien O'Bid, Doug Cushman, David Engel, Gina Morrison, David Fowler, Daniel Warner, Cody Walker, Christopher Murray, Greg Fanslow, Roy O'Connor, Jo Bentz, Dave Hope, Terry Barnes, Jean Spath, and Phil Wyels

Executive Officer Lee Michlin introduced the new staff members who were present at the Board meeting.

Vice Chair Hoy announced Election of Officers would take place at the end of the meeting.

John Brown read and presented to Vice Chair Bill Hoy Governor Davis' commendation to the North Coast Regional Water Quality Control Board. He proclaimed February 1, 2000 as

Regional Water Quality Control Board Day in observance of the 50th Anniversary of the Dickey Act.

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Bev Wasson moved adoption of the October 28, 1999 minutes as presented. Jim Mitchell seconded the motion and it carried by a unanimous roll call vote of three members, Crowley and Dahlhoff abstaining.

PUBLIC FORUM

Thomas Herman, Eureka attorney, appeared before the Board representing Barnum Timber Company and their property located in Redwood Creek. He referenced his December 23, 1999 correspondence which was a petition asking the Board to schedule a hearing to consider the removal of Redwood Creek from the 303(d) list of impaired waterbodies. The Regional Water Board's January 12, 2000 letter denied his request and stated that, if additional evidence was submitted to warrant future consideration, he would be notified.

CONSENT CALENDAR

- 1. California Department of Transportation, Russian River Bridge Replacement**, State Highway 101 at Healdsburg, (Bridge No. 20-0273 R/L, Post Mile 33.6/34.2), Sonoma County, Recision of Waste Discharge Requirements, Order No. 96-38, WDID No. 1B96032RSON
- 2. Fetzer Vineyards, Redwood Valley Winery**, 1150 Bel Arbres Road, Mendocino County, Recision of Waste Discharge Requirements, Order No. 89-35, WDID No. 1B89008RMEN
- 3. City of Santa Rosa, Prince Memorial Greenway Project**, Sonoma County, Revision of Waste Discharge Requirements, Order No. 98-52, WDID No. 1B98010RSON
- 4. Masonite Corporation, Ukiah Mill**, 300 Ford Road, Ukiah, Mendocino County, Revision of Waste Discharge Requirements and NPDES Permit, Order No. 98-123, NPDES Permit No. CA005606, WDID No. 1B83030OMEN

Bev Wasson moved adoption of the Consent Calendar as presented. Dan Crowley seconded the motion and it carried by a unanimous roll call vote.

- 5. PUBLIC HEARING** to consider the City of Santa Rosa, Laguna Subregional Wastewater Treatment, Reuse, and Disposal Facilities, Sonoma County, Interim NPDES Permit No. CA0022764, WDID No. 1B83099OSON

Bill Hoy stated the item would not be heard due to lack of a Board quorum. Board member Wasson stated, as of March 1, 2000, she will no longer be an Alexander Valley Association director and her conflict of interest will terminate. After that date, she said she is ready to participate in the City of Santa Rosa issues that come before the Board.

In response to Brenda Adelman's (Russian River Watershed Protection Committee) inquiry regarding Board member Wasson's future status on Santa Rosa items, Phil Wyels clarified several issues. He stated the City's interim NPDES permit and the long-term project (Geysers reuse plan) is scheduled to be heard in Santa Rosa at the March 23, 2000 meeting. A special public notice will be mailed to her personally in addition to an interested parties list.

6. EXECUTIVE OFFICER'S REPORT

a. Status of New Laws in Effect January 1, 2000

Craig Johnson gave a brief overview of several new laws that deal with our water regulatory process that became effective on January 1, 2000. Bills of interest included: AB 538 Public beach inventory; AB 982 Total Maximum Daily Load (TMDL) regulation; AB 1584 State Bond Act; SB 115 Environmental Justice; SB 227 Nonpoint Source regulation; SB 390 Enforcement of waiver conditions; SB 709 Minimum penalties; and SB 989 Extension of the Groundwater Cleanup Fund.

8. Consideration of a Resolution to Express Appreciation to Ross Liscum for His Service as a Regional Water Board Member

Lee Michlin read Resolution No. 99-78 that expressed appreciation to Ross Liscum for serving on the North Coast Region Board for seven years.

Jim Mitchell moved adoption of Resolution No. 99-78 as presented. Bev Wasson seconded the motion and it carried by a unanimous roll call vote. Bill and Jim expressed their personal appreciation to Ross for a job well done.

9. Proposed 2000 Board Meeting Schedule

Lee Michlin discussed the proposed fourth Thursday meeting dates for the coming year. A pattern of alternating between northern and southern locations to ensure that relevant issues are addressed in a timely manner was discussed. Jim Mitchell stated he had a conflict with the April 27 meeting and would be unavailable. Bill Hoy suggested the June 22 meeting be held in Yreka. Bill checked with the remaining members to see whether conflicts existed and if flexibility could be utilized when necessary. Bev Wasson moved the Board calendar be adopted as modified. Jim Mitchell seconded the motion and it carried by a unanimous roll call vote.

10. Resolution to Acknowledge 50th Anniversary of the Dickey Act

John Hannum presented a brief history of the North Coast Regional Water Board with its inception in January 1950. Lee Michlin read the North Coast Board's proposed Resolution No. R1-2000-07 which acknowledged the 50th Anniversary of Region One. Bev Wasson moved adoption of Resolution No. R1-2000-07 as presented. Jim Mitchell seconded the motion and it carried by a unanimous roll call vote.

Vice Chair Hoy adjourned the regular meeting at 9:25 a.m. when the teleconferencing connection to Jim Mitchell was terminated. He announced the remaining items would be discussed in a workshop session.

6. EXECUTIVE OFFICER'S REPORT (Continued)

b. Update on Garcia TMDL

Dave Evans reviewed the recommendations regarding the Garcia TMDL that were presented at the State Water Board's November 3, 1999 workshop. Areas of concern included privacy issues, the preparation of Erosion Control Plans, and voluntary compliance by affected landowners in the watershed. Mr. Evans stated a final public hearing has been postponed indefinitely. Accordingly, staff proposes to meet and work with interested parties to see if a consensus on how to proceed with implementation of the TMDL can be reached.

c. Update on Timber Harvesting Activities

Frank Reichmuth said Region One has been participating in timber harvest activities and regulating discharges over an area of 19,400 square miles since 1972. Using a slide presentation, he discussed current Basin Plan prohibitions for logging, construction, and associated activities. The Resources Agency established the Timber Harvest Review Team delegating lead agency authorizing to the California Department of Forestry and the Department of Fish and Game and the Regional Water Board as responsible agencies. Mr. Reichmuth stated his staff has been increased by twenty personnel to closely monitor forestry activities in the various northern watersheds.

d. Update on Budget and Organization

Craig Johnson discussed the current Fiscal Year 1999-2000 budget allocations which included funding to increase personnel, to complete office modifications, and to meet program commitments. He projected what funding level was anticipated in next year's budget. Permanent staff increased from 55 to 92 during late 1999 which called for increased training and additional space allocations for personnel. It is anticipated the scheduled construction work will be complete by Fall 2001.

e. Update on Stormwater Management

John Short stated industrial, municipal, and construction permits are used in California to implement the current stormwater program. Stormwater workshops are held periodically throughout the region each year to disseminate technical information, to facilitate and develop a working relationship with staff, and to provide an informational forum to discuss and solve relevant discharger issues. Region One has 339 industrial stormwater permit holders. Notice of Violation letters were sent on November 16 to 85 facilities who failed to submit their 1998-1999 Annual Report. For those dischargers that did not respond to a second contact letter, our Executive Officer will issue an administrative civil liability penalty pursuant to the Water Code. Mr. Short responded to a question from Board member Dahlhoff.

f. Other Items of Interest – Water Quality Coordinating Committee (WQCC)

Lee Michlin announced the WQCC meeting is scheduled for April 7-8 in San Diego. Comments were presented by John Brown and Bill Hoy regarding the merits of attendance at past meetings.

g. Items for Discussion at Future Regional Water Board Meetings

Lee Michlin reviewed the proposed schedule of discussion items to be presented to the Board during the current year.

7. Executive Officer Issued Administrative Civil Liabilities

Lee Michlin updated the Board on Wattle Creek vineyards and the \$25,000 ACL complaint amount that was issued and paid by the owners. Mr. Michlin responded to Board member Crowley's inquiry.

11. Violation and Enforcement Report

Craig Johnson reported Region One has implemented two new enforcement reporting systems called SINC and SWIM to ensure that enforcement action is initiated in cases of chronic violation to the Water Code and other regulatory laws. He stated mandatory compliance with SB 709 (Migden) was initiated on January 1, 2000 and minimum ACL penalties are enforceable. Phil Wyels will present Regional Water Board staff SB 709 training on Friday, January 28.

Brenda Adelman's remarks were directed to historical facts regarding the Russian River County Sanitation District and how SB 709 would impact the area. Phil Wyels responded to Ms. Adelman's issues.

12. State and Regional Water Board Communications

John Brown updated the Regional Water Board on Sacramento and Bay Delta hearing activities.

Vice Chairman Bill Hoy announced that Election of Officers had been deferred to the February 24 meeting. He adjourned the workshop at 10:58 a.m. The next Regional Water Board meeting will be held in Eureka on Thursday, February 24, 2000.

Executive Assistant Jean Spath recorded the minutes of the January 27, 2000 meeting of the North Coast Regional Water Quality Control Board, approved by the Board at its next meeting.

Approved by: _____, Chairman